



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

EAST et ux. *v.* HYDE.

March 9, 1911.

[70 S. E. 508.]

1. Equity (§ 431*)—Decree—Construction.—Where, in a suit to cancel a contract for the sale of land, defendant interposed a cross-bill, seeking reformation and specific performance, and the decree rescinding the contract in accordance with the prayer of the original bill made no mention of a demurrer to the cross bill, it should be regarded as having been overruled.

[Ed. Note.—For other cases, see *Equity*, Cent. Dig. § 1049; Dec. Dig. § 431.* 4 Va.-W. Va. Enc. Dig. 502.]

2. Cancellation of Instruments (§ 47*)—Evidence—Sufficiency.—In a suit for the cancellation of a contract for the sale of land on the ground that defendant had failed to perform, evidence held to warrant a decree for complainant.

[Ed. Note.—For other cases, see *Cancellation of Instruments*, Cent. Dig. § 103; Dec. Dig. § 47.* 11 Va.-W. Va. Enc. Dig. 892; 13 Va.-W. Va. Enc. Dig. 546.]

3. Reformation of Instruments (§ 45*)—Evidence—Sufficiency.—Evidence given in support of a cross-bill for reformation of a contract for the sale of land and specific performance thereof held insufficient to warrant a decree for defendant.

[Ed. Note.—For other cases, see *Reformation of Instruments*, Cent. Dig. §§ 157-193; Dec. Dig. § 45.* 11 Va.-W. Va. Enc. Dig. 905; 9 Va.-W. Va. Enc. Dig. 866.]

Appeal from Circuit Court, Amelia County.

Suit by C. A. Hyde against W. C. East and wife. From a decree in favor of complainant, defendants appeal. Affirmed.

Jas. M. Quicke, Jr., and R. G. Southall, for appellants.

T. Freeman Epes, Epes & Epes, Sale, Mann & Tyler, and *Saml. W. Zimmer*, for appellee.

WICKHAM & NORTHROP *v.* TURPIN.

March 9, 1911.

[70 S. E. 514.]

Witness (§ 388*)—Impeachment—Inconsistent Statements—Foundation—Certainty of Inquiry.—Plaintiff, in an action for personal injuries, asked a witness for the defendant on cross-examination whether he had had a certain stated conversation with a person named, at a certain time and place. The plaintiff's impeaching witness, after beginning a narrative version of the conversation, was

*For other cases see same topic and section NUMBER in Dec. Dig. & Am. Dig. Key No. Series & Rep'r Indexes.